

JUDGE JOHN H. CHUN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)	No. CR22-203-JHC
)	
Plaintiff,)	
)	ORDER GRANTING UNOPPOSED
v.)	MOTION TO CONTINUE TRIAL
)	AND PRETRIAL MOTIONS
ERIC KUSHANEY,)	DEADLINE
)	
Defendant.)	

THE COURT has considered Eric Kushaney's unopposed motion to continue the trial date and extend the pretrial motions deadline and finds that:

(a) taking into account the exercise of due diligence, a failure to grant a continuance in this case would deny counsel for the defendant the reasonable time necessary for effective preparation due to counsel's need for more time to review the evidence, consider possible defenses, and gather evidence material to the defense, as set forth in 18 U.S.C. § 3161(h)(7)(B)(iv); and

(b) a failure to grant such a continuance in this proceeding would likely result in a miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i); and

(c) the additional time requested is a reasonable period of delay, as the defendant has requested more time to prepare for trial, to investigate the matter, to gather evidence material to the defense, and to consider possible defenses; and

(d) the ends of justice will best be served by a continuance, and the ends of justice outweigh the best interests of the public and the defendant in any speedier trial, as set forth in 18 U.S.C. § 3161(h)(7)(A); and

1 (e) the additional time requested between the current trial date of January 23,
2 2023, and the new trial date is necessary to provide counsel for the defendant the
3 reasonable time necessary to prepare for trial, considering counsel's schedule and all of
4 the facts set forth above; and

5 (f) the period of delay from the date of this order to the new trial date is
6 excludable time pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (h)(7)(B)(iv).

7 IT IS THEREFORE ORDERED that the trial date in this matter shall be
8 continued to July 24, 2023, and that pretrial motions shall be filed no later than
9 April 25, 2023.

10 DONE this 28th day of December, 2022.

11
12
13 
14 JOHN H. CHUN
UNITED STATES DISTRICT JUDGE

15 Presented by:

16 s/ Colleen P. Fitzharris
17 Assistant Federal Public Defender
18 Attorney for Eric Kushaney
19
20
21
22
23
24
25
26